

Attorney Docket No.: 01CON314P
Serial No.: 09/499,999

REMARKS

In the *non-final* Office Action, dated February 27, 2006, the Examiner has rejected claims 16-27, 45, 48 and 49. By the present amendment, applicant has amended claims 16 and 22, and added new claims 69-72. After the present amendment, claims 16-27, 45, 48-49 and 69-72 are pending in the present application. Reconsideration and allowance of pending claims 16-27, 45, 48-49 and 69-72 in view of the following remarks are respectfully requested.

A. Rejection of Claims 16, 18-21 and 45 Under 35 USC § 103(a)

The Examiner has rejected claims 16, 18-21 and 45 under 35 USC § 103(a) as being unpatentable over Ashley (USPN 6,104,993) ("Ashley") in view of Otani (USPN 6,400,693) ("Otani").

Applicant respectfully submits that the limitations "selecting one of said installed plurality of speech encoders according to said data rate on a frame-by-frame basis, said installed plurality of speech encoders including at least a first encoder using a first speech encoding scheme and a second encoder using a second speech encoding scheme, wherein said second speech encoding scheme belongs to a different speech coding standard than said first speech encoding scheme" of claim 16 are not disclosed, taught or suggested by either Otani or Ashley. According to the conventional wisdom with respect to variable speech encoders, speech frames are encoded on a frame-by-frame basis according to the same speech coding standard, although the bit rate may change on a frame-by-frame basis. However, the cited references do not disclose, teach or remotely suggest that on a frame-by-frame basis, the speech frames may be encoded according to encoding schemes that belong to different speech coding standards. For example, as explained in the present application, at page 7, lines 9-13: "In yet another

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embodiment, each speech encoder may support a different standard. For example, the speech encoder 230 may support the G.721 ADPCM standard at 32 kbps, the speech encoder 240 may support the G.723.1 standard at 5.3 kbps and the speech encoder 250 may support the G.729 Annex I standard at 11.2 kbps."

Accordingly, applicant respectfully submits that claim 16 and its dependent claims 18-21 and 45 should be allowed.

B. Rejection of Claims 22-27 Under 35 USC § 103(a)

The Examiner has rejected claims 22-27 under 35 USC § 103(a) as being unpatentable over Ashley in view of Otani, and in further view of Stewart, et al. (USPN 5,761,634) ("Stewart").

Applicant respectfully submits that claim 22, as amended, has limitations similar to those of claim 16, as amended, and claim 22 and its dependent claim 23-27 should be allowed at least for the same reasons stated above.

C. Rejection of Claim 17 Under 35 USC § 103(a)

The Examiner has rejected claim 17 under 35 USC § 103(a) as being unpatentable over Ashley in view of Otani, and in further view of Taumi et al. (USPN 6,006,178) ("Taumi"). Applicant respectfully disagrees.

Applicant respectfully submits that claim 17 depends from claim 16, as amended, and should be allowed at least for the same reasons stated above.

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D. Rejection of Claims 48-49 Under 35 USC § 103(a)

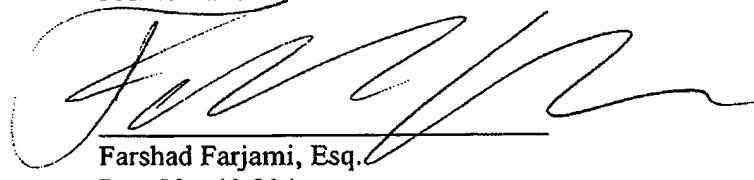
The Examiner has rejected claims 48-49 under 35 USC § 103(a) as being unpatentable over Ashley in view of Otani, and in further view of DeJaco (USPN 5,911,128) ("DeJaco"). Applicant respectfully disagrees.

Applicant respectfully submits that claims 48-49 depends from claim 16, as amended, and should be allowed at least for the same reasons stated above.

E. Conclusion

For all the foregoing reasons, an early allowance of claims 16-27, 45, 48-49 and 69-72 pending in the present application is respectfully requested. The Examiner is invited to contact the undersigned for any questions.

Respectfully Submitted;
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Date

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